

United States District Court

for

District of Guam

Report on Offender Under Supervision

Name of Offender: **Francis A. Aguon**

Case Number: **CR 97-00074-001**

Name of Sentencing Judicial Officer: John S. Unpingco

Date of Original Sentence: October 14, 1997

Original Offense: Possession with Intent to Distribute Methamphetamine Hydrochloride, in violation of Title 18, United States Code, Section 841(a)(1).

Original Sentence: 108 months imprisonment followed by a five year term of supervised release with conditions to include: participate in a drug treatment and testing; perform 400 hours of community service; obtain and maintain employment; and pay a \$100 special assessment fee. **Conditions modified on March 31, 2005** to include an additional 100 hours of community service under the direction of the U.S. Probation Office at a rate of eight hours weekly. **Revoked on July 20, 2005** and ordered to serve 11 months prison followed by 49 months supervised release with conditions that he: comply with mandatory and standard conditions; participate in drug treatment and testing; refrain from the use of alcohol and submit to testing; obtain and maintain gainful employment; cooperate in the collection of DNA as directed by the probation officer; not commit another federal, state or local crime; not unlawfully possess and refrain from use of a controlled substance; and submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the Court. **On September 29, 2006 conditions were modified** to include six days of intermittent confinement. **On September 4, 2007, supervised release was revoked** and he was sentenced to time served (approximately 7 months) followed by 42 months of supervised release with conditions to include: participate in the Salvation Army Lighthouse Recovery Center's (LRC) six month residential treatment program and obey all rules and regulations set forth by the program; upon completion of the LRC shall participate in substance abuse treatment and testing program approved by the U.S. Probation Office; refrain from the use of alcohol and submit to testing, all alcohol shall be removed from the defendant's residence; obtain and maintain employment; and upon completion of the Salvation Army Lighthouse Recovery Center's Residential Treatment Program, the defendant shall report to the U.S. Probation Office and provide documentation that he is actively seeking employment.

Type of Supervision: Supervised Release

Date Supervision Commenced: September 4, 2007

NONCOMPLIANCE SUMMARY

Violation Number Nature of Noncompliance

1. Use of a controlled substance on December 8, 2007, in violation of 18 U.S.C. §3583 (d).

Mr. Francis A. Aguon is receiving substance abuse treatment at the Lighthouse Recovery Center. On December 8, 2007, he tested positive for the use of methamphetamine and marijuana. As a result, he was removed from the residential program and placed in social detox until he was cleared of all substances. Additionally, upon mutual agreement with the treatment provider, the undersigned officer and Mr. Aguon's attorney, Mr. Aguon was sanctioned and placed on restriction for one month.

Mr. Aguon is employed as a truck driver. This report is for informational purposes only. It is respectfully requested that no action be taken at this time.

Reviewed by:



/s/ CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader

Date: January 22, 2008

Respectfully submitted,

by:



/s/ GRACE D. FLORES
U.S. Probation Officer

Date: January 22, 2008

THE COURT ORDERS

No Response is necessary unless the court directs that additional action be taken as follows:

- Submit a Request for Modifying the Condition of Term of Supervision.
- Submit a Request for Warrant or Summons.
- No Action.
- Other: Condition suspended as recommended.